

## REMARKS

Reconsideration of the present application is respectfully requested. Claims 10 and 14 have been amended. Claims 1-9, 11-13, and 15-30 have been canceled (claims 5, 12, 20 and 29 were previously canceled). Claims 31-36 have been newly added. No new matter has been added. **Applicant hereby respectfully requests a telephone interview with the Examiner to be held before the Examiner's issuance of an office action in response to this RCE.**

### Claim Rejections

Independent claim 10 stands rejected under 35 USC §102(b) based on Hackworth (US 2002/0125938) in view of Kita (US 6,430,611). Applicant respectfully traverses the rejections.

Claim 10, as currently amended, recites:

10. An apparatus comprising:
  - a storage server having a mass storage device;
  - a multi-appliance management application (MMA) to manage the storage server; and
  - an agent coupled to the storage server, **the agent to scan the mass storage device to collect information about a file stored on the storage server**, and to combine information collected into a summary of a directory in which the file is located, **wherein the agent, the MMA, and the storage server are separate devices, and wherein the agent and the storage server are running different file systems.**  
**(Emphasis added).**

In contrast, Hackworth and Kita does not teach or suggest the above emphasized limitations, namely, an agent to scan a mass storage device of a storage

server to collect information about a file, wherein the agent and the storage server are separate devices and are running different file systems.

Kita does not teach or suggest using an agent separate from a storage server to scan the storage server's mass storage device. As disclosed in the discussion of Kita's Figure 3 (specifically, column 4, lines 34-37 and column 4, line 66 - column 5, line 1), a scanning agent is installed in the computer whose storage resources (e.g., disks, etc.) are to be scanned by the installed agent. In addition, Kita does not teach or suggest that the agent is a device which runs a file system different from the file system of the computer on which the agent is installed.

Hackworth also does not teach or suggest the above emphasized limitations. The Examiner alleges that a monitor process disclosed in paragraph 9 of Hackworth can be considered as an agent as recited in claim 10. However, as disclosed in paragraph 38 of Hackworth, the monitor process is a process running within a management station, which manages a storage server. A process is not the same thing as a device. Even assuming *arguendo* that a process can be considered a device, the monitor process is not separate from the management station. In contrast, the agent recited in claim 10 is a separate device from the MMA, such as the management station, that manages a storage server. Further, the monitor process cannot run a file system, much less a file system that is different from the one of the storage server.

Thus, at least for the above reasons, claim 10 and all claims which depend on it are patentable over Hackworth and Kita.

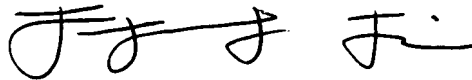
The newly added claim 34 recites limitations similar to those discussed above for claim 10. Therefore, at least for the same reasons discussed above, claim 34 and all claims which depend on it are also patentable over Hackworth and Kita.

Conclusion

For the foregoing reasons, the present application is believed to be in condition for allowance, and such action is earnestly requested.

If there are any additional charges/credits, please charge/credit our deposit account no. 02-2666.

Respectfully submitted,  
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